

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DHANNIELL AQUINO,)	
)	
Plaintiff,)	Civil Action No. 09-234J
)	
v.)	Judge Gibson
)	Magistrate Judge Bissoon
MAUHAMMAD NAJI, M.D., <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORODER

Plaintiff Dhanniell Aquino is a former state prisoner who has filed a civil rights action pursuant to the provisions of 42 U.S.C. § 1983. This case was referred to United States Magistrate Judge Cathy Bissoon for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules for Magistrates.

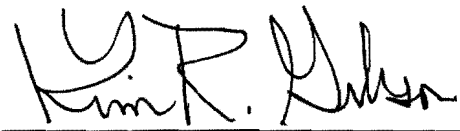
On August 31, 2010, the Magistrate Judge issued a Report and Recommendation (Doc. 50), recommending that the Motion to Dismiss filed by Defendants Naji and McCliment (Doc. 33) be denied. The parties were allowed until September 14, 2010, to file objections. No objections have been filed.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following ORDER is entered:

AND NOW, this 19th day of October, 2010,

IT IS HEREBY ORDERED that the Motion to Dismiss filed by Defendants Naji and McCliment (Doc. 33) is DENIED. The Report and Recommendation of Magistrate Judge

Bissoon (Doc. 50), dated August 31, 2010, is adopted as the opinion of the court with respect to this motion.

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

KIM R. GIBSON
UNITED STATES DISTRICT JUDGE

cc:
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